

DANIEL E. ALBERTI (68620)  
dalberti@mwe.com  
McDERMOTT WILL & EMERY LLP  
3150 Porter Drive  
Palo Alto, CA 94304-1212  
Telephone: 650.813.5000  
Facsimile: 650.813.5100

PAUL E. CHRONIS  
pchronis@mwe.com  
McDERMOTT WILL & EMERY LLP  
ARON J. FRAKES  
ajfrakes@mwe.com  
227 West Monroe Street  
Chicago, Illinois 60606  
Telephone: 312.372.2000  
Facsimile: 312.984.7700

Attorneys for Plaintiff  
VESTA STRATEGIES, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VESTA STRATEGIES, LLC,  
Plaintiff,

v.

ROBERT E. ESTUPINIAN, GINNY  
ESTUPINIAN, MUTUAL VISION, LLC,  
MILLENNIUM REALTY GROUP,  
VESTA REVERSE 100, LLC, VESTA  
CAPITAL ADVISORS, LLC, and  
CAROL-ANN TOGNAZZINI,  
Defendants.

CASE NO. C 07-06216 JW RS  
**AMENDED PROOF OF SERVICE**

**PROOF OF SERVICE**

I, Cheryl A. Lovdahl, declare:

I am a citizen of the United States and employed in Santa Clara County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 3150 Porter Drive, Palo Alto, California 94304-1212. On November 28, 2007, I served a copy of the within document(s):

1. **PLAINTIFF VESTA STRATEGIES, LLC'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER AND MOTION FOR LEAVE TO FILE A SECOND AMENDED COMPLAINT;**
2. **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF VESTA STRATEGIES, LLC'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER AND MOTION FOR LEAVE TO FILE A SECOND AMENDED COMPLAINT;**
3. **DECLARATION OF PAUL E. CHRONIS IN SUPPORT OF PLAINTIFF VESTA STRATEGIES, LLC'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER AND MOTION FOR LEAVE TO FILE A SECOND AMENDED COMPLAINT;**
4. **DECLARATION OF PETER YE IN SUPPORT OF PLAINTIFF VESTA STRATEGIES, LLC'S EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER AND MOTION FOR LEAVE TO FILE A SECOND AMENDED COMPLAINT;**
5. **[PROPOSED ORDER] GRANTING PLAINTIFF LEAVE TO FILE SECOND AMENDED COMPLAINT; [PROPOSED] ORDER TEMPORARY RESTRAINING ORDER AND ORDER GRANTING PLAINTIFF OTHER RELIEF**

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Palo Alto, California addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed **[name of overnight service, i.e., FedEx, etc.]** envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a **[name of overnight service]** agent for delivery.

☒ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

☒ by electronically mailing a true and correct copy through McDermott, Will & Emery's electronic mail system at the e-mail address(es) set forth below.

**Kevin Martin, Esq.**  
**kmartin@randicklaw.com**  
**Randick O'Dea & Tooliatos, LLP**  
**5000 Hopyard Road, Suite 400**  
**Pleasanton, CA 94588-3348**  
**Telephone: 925.460.3700**  
**Facsimile: 925.460.0969**

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on December 14, 2007, at Palo Alto, California.

\_\_\_\_\_  
/s/ Cheryl A. Lovdahl  
Cheryl A. Lovdahl

MPK 136413-1.029407.0020